REMARKS:

Claims 1 - 4, 7, and 9 have been amended. New claims 20 - 22 have been added. Claims 1 - 11 and 20 - 22 remain in the application.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. Applicant has amended claim 4 to remove the phrase "and a first affixing member arranged approximately 180 degrees from a second affixing member". Therefore, the objection as to the specification for failing to provide proper antecedent basis for the claimed subject matter has become moot.

Claims 2, 3, and 9 were rejected under 35 USC §112, 2nd Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claims 2, 3 and 9 to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Therefore, it is respectfully submitted that claims 2, 3, and 9, as amended, overcome the rejection under 35 USC§112, 2nd Paragraph, and are allowable over this rejection.

Claims 4 - 8 and 10 were rejected under 35 USC §112, 1st Paragraph, as failing to comply with the written description requirement. Applicant has amended claim 4 to remove the phrase "and a first affixing member arranged approximately 180 degrees from a second affixing member." Therefore, the rejection under 35 USC§112, First Paragraph, as to claims 4 through 8 and 10 has become moot.

Claims 4 through 6 and 10 were rejected under 35 USC §102(b) as being anticipated by Domer. Applicant respectfully traverses this rejection.

U.S. Patent No. 5,013,166 to Domer discloses a torsion ball bearing.

In contradistinction, claim 4, as amended, claims a dynamic damper comprising a mass member assembly including a plurality of mass members, each mass member having an inner surface extending from the mass member and an outer surface. The inner and outer surface form a coating that covers each mass member entirely. The mass member assembly being affixable to a rotary shaft. The dynamic damper also includes a plurality of elongated connection members each molded integrally with and extending radially inwardly from the inner surface of each mass member toward the rotary shaft thereby defining a plurality of spaced apart attachment surfaces.

Domer '166 does not disclose, teach or anticipate the present invention of claim 4, as amended. Specifically, Domer '166 does not disclose a plurality of mass members with each mass member having an inner surface extending from the mass member and an outer surface, wherein the inner surface and outer surface form a coating that covers each mass member entirely. Nowhere does Domer '166 disclose, contemplate, teach, or even suggest the use of an inner surface and outer surface that form a coating that covers each mass member entirely. Domer '166 only discloses, teaches, or suggests ribs integral with the inner face of a frame and a resilient material pad fixed externally to the frame. Nowhere does Domer '166 disclose an inner surface extending from the inner face of the frame or the frame entirely coated by an inner and outer surface. Hence, it is respectfully submitted that Domer '166 fails to disclose all of the limitations claimed by Applicant in claim 4, as amended. Therefore, it is respectfully submitted that claim 4, as amended, as the claims dependent therefrom, overcome the rejection under 35 USC§102(b) and are allowable over this rejection.

Claims 1 - 3, 7 - 9 and 11 were rejected under 35 USC§103(a) as being unpatentable over Domer. Applicant respectfully traverses this rejection.

In contradistinction claim 1, as amended, claims a dynamic damper having a mass assembly including a plurality of discrete mass members. Each mass member having an inner surface and an outer surface. The inner surface and outer surface form a coating that covers each mass member entirely. Each mass member having a first and second affixing member for affixing the mass member to another mass member of the assembly. The mass member assembly being affixable to a rotary shaft.

Domer '166 does not disclose, teach, contemplate or suggest the present invention as claimed in amended claim 1. In particular, Domer does not disclose, teach or even suggest a dynamic damper having an inner surface an outer surface that form a coating that covers each mass member entirely. As Domer does not disclose, teach or suggest the complete encapsulation of a plurality of discrete mass members it cannot be obvious to one of ordinary skill in the art to construct Applicant's invention as claimed in amended claim 1. There must be some teaching or suggestion in the reference to show such a claimed limitation would even be possible or capable of being inferred or incorporated in Applicant's claimed invention without undue experimentation and design work. As this claimed limitation is nowhere disclosed, suggested or even contemplated in the Domer reference this novel idea of the Applicant cannot be inferred or inserted into the Domer reference unless such a specific teaching or suggestion exists within the Domer reference itself.

Therefore, as there is no suggestion within the Domer reference for such a limitation this limitation by law cannot be inferred into the reference. Therefore, Domer '166 is not capable of being modified to construct a dynamic damper as claimed in amended claim 1 by Applicant. Therefore, the objection for obviousness over Domer is not proper and must fail.

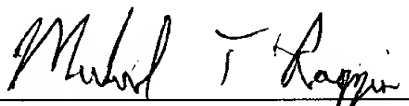
Furthermore with regard to new claims 20 through 22, Domer discloses a snap fit mechanism being formed with its relatively rigid frame. The Applicant's affixing members are made of the same elastic material as that of the inner and outer surface. The mass members are also made of a steel material. Hence, the Applicant's dynamic damper as claimed provides a novel way to affix the mass members that is completely different from and in no way taught, suggested or contemplated in the Domer reference or any other cited prior art. The Applicant's claimed invention also includes a plurality of connecting members integral with and extending from the inner surface. No known combination of any prior art would yield a dynamic damper as claimed in Applicant's new claims.

Therefore, it is respectfully submitted that claim 1, as amended, and the claims dependent therefrom overcome the rejection under 35 USC§103(a) and are allowable over this rejection.

If Applicant can be of any further assistance or provide any other information in the prosecution of this application, the Examiner is requested to call the undersigned at (248) 364-2100.

Respectfully submitted,

DINNIN & DUNN, P.C.

By: 

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Dated: March 30, 2004

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or deposited) is being deposited with the United States Postal Service as Express Mail (EV 383550148 US) in an envelope addressed to: Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450 on March 30, 2004

By: _____